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1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

-----x

3 UNITED STATES OF AMERICA,

4 v.

15 Cr. 588 (ER)

5 AHMED MOHAMMED EL GAMMAL,

6 Defendant.

7 -----x

8 New York, N.Y.

9 May 10, 2016

11:40 a.m.

10 Before:

11 HON. EDGARDO RAMOS,

12 District Judge

13  
14 APPEARANCES

15 PREET BHARARA

16 United States Attorney for the

17 Southern District of New York

BRENDAN F. QUIGLEY

18 NEGAR TEKEEI

Assistant United States Attorney

19 FEDERAL DEFENDERS OF NEW YORK, INC.

Attorneys for Defendant

20 BY: SABRINA SHROFF

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(Case called)

THE DEPUTY CLERK: Counsel, please state your name for the record.

MR. QUIGLEY: Good morning, your Honor. Brendan Quigley and Negar Tekeei for the United States.

THE COURT: Good morning.

MS. SHROFF: Good morning, your Honor. For Mr. Gammal, Federal Defenders of New York by Sabrina Shroff.

THE COURT: Good morning to you. And good morning to you, Mr. Gammal.

THE DEFENDANT: Good morning.

THE COURT: This matter is on for a status conference so, Mr. Quigley, let me look to you in the first instance. Where are we?

MR. QUIGLEY: Your Honor, we have produced substantial amount of discovery in this case. I think we are in a position now to set a trial date and a further schedule, and I would just ask that the record reflect that there was a classified proceeding before this.

THE COURT: Yes. The record will reflect that shortly before -- immediately before coming out the Court met with the parties and conducted a status conference concerning certain classified materials that have been collected during the investigation of this case and discussed motion practice that may be had with respect to those materials as the trial date

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1       nears.

2               Ms. Shroff, was there anything that you wanted to put  
3       on the record?

4               MS. SHROFF: No, your Honor. I am joined by my  
5       co-counsel Mr. Habib now.

6               THE COURT: You can step forward.

7               MR. HABIB: Thank you, your Honor. I apologize.

8               THE COURT: And your last name is Habib?

9               MR. HABIB: Yes.

10              THE COURT: Very well now.

11              As I understand from prior conferences, this case or  
12       the trial of this case is likely to last between two to three  
13       weeks, is that correct?

14              MR. QUIGLEY: Yes, your Honor.

15              THE COURT: And one of the things that was discussed  
16       are potential trial dates, and I believe that the parties are  
17       in agreement that this matter could be put down for trial  
18       sometime mid to late October.

19              Ms. Rivera?

20              THE DEPUTY CLERK: October 17, 2015.

21              THE DEFENDANT: Oh my God.

22              THE COURT: October 17.

23              THE DEFENDANT: Why?

24              MS. SHROFF: Mr. Gammal -- just give me one second?

25              Can we have a second?

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1 THE COURT: Absolutely. Absolutely.

2 (Defendant and counsel conferring)

3 MS. SHROFF: Your Honor, I'm sorry, but I am going to  
4 require a little bit of time to talk to Mr. Gammal --

5 THE COURT: Okay.

6 MS. SHROFF: -- about the trial date. I do apologize.  
7 I will need to confer with him.

8 THE COURT: Will you need more than 10 or so minutes?  
9 Or shall we put this over?

10 MS. SHROFF: I think we should put it over.

11 THE COURT: Okay.

12 THE DEFENDANT: No, we will do it in 10 minutes.

13 (Defendant and counsel conferring)

14 THE COURT: It is going to take a couple of minutes I  
15 can just go back. If it is going to take longer then I am  
16 happy to put it over.

17 MS. SHROFF: Could we try the couple of minutes?

18 THE COURT: Yes. Thank you.

19 MS. SHROFF: I appreciate it.

20 THE COURT: If you want to use the conference room,  
21 you are free to do that.

22 MS. SHROFF: Thank you.

23 (recess)

24 THE COURT: Everyone, be seated.

25 Ms. Shroff?

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1 MS. SHROFF: I think we are going to need a little bit  
2 more time, your Honor. I'm sorry. I apologize.

3 THE COURT: Okay.

4 MS. SHROFF: We could either jointly confer and write  
5 to the Court or come back and pick the trial date. Whatever  
6 the Court wants. I'm available any time next week Monday,  
7 Tuesday, Wednesday -- all week, actually.

8 THE COURT: Well, I will leave that up to the parties.

9 Mr. Quigley, it makes sense rather than have us all  
10 come back, to, if the parties can reach some sort of agreement  
11 to do this?

12 MS. SHROFF: That's fine.

13 MR. QUIGLEY: That's fine with us, your Honor.

14 THE COURT: So, why don't I direct the parties to  
15 report back to me by Friday.

16 MS. SHROFF: This Friday?

17 THE COURT: Yes.

18 MS. SHROFF: Sure.

19 MR. QUIGLEY: That's fine with the government, your  
20 Honor.

21 THE COURT: And let me know whether or not there has  
22 been some agreement and, if so, what that agreement is, and if  
23 there is a trial date that's been agreed upon I will then issue  
24 a scheduling order for motions.

25 Okay?

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1 MS. SHROFF: Thank you, your Honor. We will consult  
2 with Ms. Rivera and get the Court's availability again.

3 THE COURT: Very well.

4 Is there anything else we need to do, Mr. Quigley?

5 MR. QUIGLEY: No, your Honor. I believe time is  
6 excluded through May 20th per one of the Court's prior orders.

7 THE COURT: Okay.

8 Ms. Shroff?

9 MS. SHROFF: I have nothing to add.

10 THE COURT: Then we are adjourned.

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